

Serial No. 10/801,273

Amendment in Resp. to Off. Action of Aug. 8, 2007

UTILITY PATENT

B&D No. JK01488A

REMARKS

Applicants have amended Claim 1 and added Claims 34-36. Currently in the above-identified application therefore are Claims 1-7 and 34-36.

The Examiner rejected Claims 1, 4 and 6-7 under 35 USC § 103(a) as being unpatentable over US Patent No. 5,943,931 ("Stumpf") in view of US Patent No. 5,357,834 ("Ito") and further in view of US Patent No. 5,850,698 ("Hurn"). The Examiner also rejected Claims 2-3 under 35 USC § 103(a) as being unpatentable over Stumpf in view of Ito and Hurn, and further in view of US Patent No. 3,611,859 ("Avakian"). In addition, the Examiner rejected Claim 5 under 35 USC § 103(a) as being unpatentable over Stumpf in view of Ito, Hurn and Avakian, and further in view of US Patent No. 6,615,701 ("Hollinger"). Reconsideration and withdrawal of these claims is respectfully requested.

Applicants note that Stumpf, Ito, Hurn, Avakian and Hollinger, whether individually or in combination, do not show a portion of the gear housing directly underneath the motor shaft being higher than the arbor. Instead, Ito and Hurn, for example, show the portion of the gear housing directly underneath the motor shaft being lower than the arbor.

By contradistinction, Claim 1 calls for a "gear housing having a portion being directly below the motor shaft; ... the gear housing portion [being] higher than the arbor." Because the cited references do not show, teach or suggest such arrangement, they cannot render unpatentable Claim 1 and its dependent claims.

Serial No. 10/801,273

Amendment in Resp. to Off. Action of Aug. 8, 2007

UTILITY PATENT

B&D No. JK01488A

In view of the foregoing, all the claims are patentable and the application is believed to be in condition for formal allowance. Reconsideration of the application and allowance of Claims 1-7 and 34-36 are respectfully requested.

No fee is believed due. The Commissioner is authorized to charge payment of any fees due in processing this response, or credit any overpayment to Deposit Account No. 02-2548.

Respectfully submitted,



Adan Ayala, Reg. No. 38,373
Attorney for Applicants
(410) 716-2368